

OUSEDALE SCHOOL

CONFIDENTIAL REPORTING POLICY

1. INTRODUCTION

- 1.1 Ousedale School is committed to the highest standards of openness, probity and accountability. It is recognised certain cases will have to proceed on a confidential basis but in accordance with the Freedom of Information Act.
- 1.2 It should be emphasised that this policy is intended to assist individuals who believe they have discovered malpractice or impropriety. It is not designed to question financial or business decisions taken by the School; nor may it be used to reconsider any matters which have already been addressed under grievance, complaints or disciplinary procedures.

2. SCOPE OF POLICY

- 2.1 This policy is designed to allow all members of staff, including those of agencies and contractors working at the school, to raise concerns at a high level or disclose information which the individual believes shows malpractice.
- 2.2 A number of policies and procedures are already in place including grievance, complaints and discipline. This policy is intended to cover concerns which are in the public interest and may (at least initially) be investigated separately but might then lead to the invocation of such procedures. These might include:
- financial malpractice or impropriety or fraud
 - failure to comply with a legal obligation
 - dangers to health and safety or the environment
 - criminal activity
 - academic malpractice
 - improper conduct or unethical behaviour
 - attempts to conceal any of the above

3. SAFEGUARDS

3.1 Protection

This policy is designed to offer protection, without fear of reprisal, to those identified in paragraph 2 who disclose such concerns provided the disclosure is made:

- in good faith, and
- in the reasonable belief of the individual making the disclosure that it tends to show malpractice.

The individual will also be protected if they make the disclosure to an appropriate person/body (see section 4).

3.2 Confidentiality

All such disclosures will be treated in a confidential and sensitive manner. The identity of the individual making the allegation may be kept confidential so long as it does not hinder or frustrate any investigation. However, the investigation process may reveal the source of the information and the individual making the disclosure may need to provide a statement as part of the evidence required.

3.3 Anonymous Allegations

This policy encourages individuals to put their name to any disclosures they make. Concerns expressed anonymously are much less powerful, but they will be considered at the discretion of the School. In exercising this discretion, the factors to be taken into account will include:

- the seriousness of the issues raised;
- the credibility of the concern;
- any supporting evidence received; and
- the likelihood of confirming the allegation from alternative credible sources.

3.4 Untrue Allegations

If an individual makes an allegation in good faith, which is not confirmed by subsequent investigation, no action will be taken against that individual. If, however, an individual makes malicious or vexatious allegations, and particularly if he or she persists with making them, disciplinary action may be taken against the person concerned.

4. PROCEDURES FOR MAKING A DISCLOSURE

4.1 Initial Step

4.1.1 In the first instance disclosure should be made to the individual's line manager who will then decide on a suitable way of taking the matter further.

4.1.2 If it is inappropriate to raise the matter with the line manager it should be made to the Headteacher. If the individual does not wish to raise the matter with either of the above then they may raise it with the Chair of Governors.

4.1.3 Under any circumstances the Headteacher would not wish an individual to feel inhibited from raising a matter with him/her directly.

4.2 Process

4.2.1 The Headteacher or Chair of Governors will consider the information made available to him/her and decide initially if there is a prima facie case to answer. In so doing the Headteacher or Chair of Governors will decide whether an investigation should be

conducted and if so what form it should take. This will depend on the nature of the matter raised and may be:

- investigated internally either by a Deputy Headteacher or by a Governing Body committee;
- referred to the Police;
- form the subject of an inquiry undertaken independently or by the school's auditors;
- referred to an appropriate public body.

4.2.2 Investigations will not be carried out by any person who will have to reach a decision on the matter. Any investigation will be conducted as sensitively and speedily as possible.

4.2.3 Using the information received, the Headteacher or Chair of Governors will decide if there is a case to answer and what procedure to follow. The internal procedures which may be followed include:

- disciplinary
- grievance or complaints

or it might form the basis of a special investigation. In some instances it might be necessary to refer the matter to an external authority for further investigation.

4.3 Feedback

4.3.1 The Headteacher or Chair of Governors will inform the individual making the disclosure of what action, if any, is to be taken when it is decided whether or not there is a case to answer.

4.3.2 Where a disclosure is made, the person or persons against whom the disclosure is made will be told of it, the evidence supporting it and will be allowed to respond before any investigation, or further action, is concluded. If however, an individual makes malicious or vexatious allegations, the school reserves the right to take action against them.

4.4 Reporting of Outcomes

4.4.1 A brief report of all disclosures not identifying individuals and any subsequent actions taken will be made by the Headteacher or Chair of Governors to the Governing Body and who will retain such reports in line with the school Retention Policy.

5. **MONITORING AND REVIEW**

The Governors' Personnel Committee will be responsible for the monitoring and review of this policy, which will be reviewed every 3 years.

Reviewed and approved by the Personnel Committee – February 2019
To Full Governors – April 2019
Date of next review – January 2022